

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

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In the Matter of:

Nadira Jariwaa,  
Debtor.

Case No.: 16-14009  
Chapter 13

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NOTICE OF MOTION TO AVOID LIEN PURUSANT TO 11 U.S.C. 522(f)

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Nadira Jariwala, by counsel, has filed a Motion pursuant to 11 U.S.C. §522(f) asking the Court to enter an order avoiding the judicial lien of **Discover Bank**.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court grant the Motion, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must file with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
120 N. Henry Street, Room 340  
Madison, WI 53703-2559

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must also mail a copy to:

Attorney Jill M. Campo  
MILLER & MILLER LAW, LLC  
633 W Wisconsin Ave, Ste 500  
Milwaukee, Wisconsin 53203-1918

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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MOTION TO AVOID LIEN ON REAL ESTATE PURUSANT TO 11 U.S.C. 522(f)

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NOW COMES Nadira Jariwala, by her attorney, Jill M. Campo, Miller & Miller Law, LLC, pursuant to 11 U.S.C. §522(f) and the Federal Rules of Bankruptcy Procedure 4003(d) and 9014, to request this Court enter an order avoiding the judicial lien held by **Discover Bank**, on her homestead property. In support of this Motion, the debtor states the following:

1. Debtor filed a voluntary petition under Chapter 13 of the Bankruptcy Code on November 30, 2016.
2. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).
3. Debtor owns residential real estate located at 5433 Hazelcrest Drive, Madison, Wisconsin 53704.
4. On or about December 1, 2016, **Discover Bank**, docketed a judicial lien against the debtor's residence located at 5433 Hazelcrest Drive, Madison, Wisconsin, as follows:  
  
A judgment, for the amount, \$15,597.70, and any other amounts due;  
Nadira Jariwala, 5433 Hazelcrest Drive, Madison, WI 53704 debtor;  
**Discover Bank** 3033 Campus Drive, Suite 250, Plymouth, WI 55441, creditor;  
Docketed December 1, 2016, at Dane County, in Circuit Court, Case No. 2016CV001962.
5. Debtor's interest in the property referred to in the preceding paragraph and encumbered by the lien has been claimed as full exempt in their bankruptcy case.
6. The existence of **Discover Bank's** lien on Debtors' real property impairs exemptions to which the debtor(s) would be entitled under 11 U.S.C. Sec. 522(b).

WHEREFORE, the debtor respectfully requests that this Court enter an order avoiding the judicial lien in the above-mentioned property, and for such additional or alternative relief as must be just and proper.

Dated: July 16, 2021

Miller & Miller Law, LLC  
Attorneys for Debtors

By: /s/Jill M. Campo  
Jill M. Campo  
Bar No. 1055099

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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CERTIFICATE OF SERVICE

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The undersigned, an Attorney, does hereby certify that on July 16, 2021, a copy of the foregoing Motion to Avoid Lien was served electronically or at their proper post office address after their respective names on the following parties:

Discover Bank  
PO Box 3025  
New Albany, OH 43054

Messerli & Kramer PA  
3033 Campus Drive  
Suite 250  
Plymouth, MN 55441

Nadira Jariwala  
5433 Hazelcrest Drive  
Madison, WI 53704

Trustee , Mark Harring by ECF  
US Trustee, by ECF

/s/Jill M. Campo  
Jill M. Campo  
Miller & Miller Law, LLC  
633 W Wisconsin Ave, Ste 500  
Milwaukee, WI 53203-1918  
(414) 277-7742  
(414) 277-1303 (fax)  
[jill@millermillerlaw.com](mailto:jill@millermillerlaw.com)

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(414) 277-7742 (o) (414) 277-1303 (f)